

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Carmen Pullens,
Plaintiff,

vs.

Case No. 1:05-CV-27

Milford Board of Education,
Defendant.

ORDER

This matter is before the Court on Magistrate Judge Black's Report and Recommendation filed November 2, 2005 (Doc. No. 15). Magistrate Judge Black recommended that Defendant's motion for summary judgment (Doc. No. 12) be granted and the case be terminated upon the docket.

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. See United States v. Walters, 638 F.2d 947 (6th Cir. 1981). As of the date of this Order, no objections to the Magistrate Judge's Report and Recommendation have been filed.

The Court has reviewed the Report and Recommendation *de novo* and hereby **ADOPTS** the Report and Recommendation *in toto*. Defendant's motion for summary judgment is well-taken and is **GRANTED**. The complaint is **DISMISSED WITH PREJUDICE**. This case is **CLOSED** on the Court's docket.

This Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this Order would not be taken in good faith for the purposes of granting

Petitioner leave to appeal *in forma pauperis*. See Fed. R. App. P. 24(a); *Kincade v. Sparkman*, 117 F.3rd 949, 952 (6th Cir. 1997).

IT IS SO ORDERED

November 22, 2005

Date

s/Sandra S. Beckwith

Sandra S. Beckwith, Chief Judge
United States District Judge